

**Durham City-County Planning Department**  
**Adopted Work Program, FY14**  
**Part B, Programs and Descriptions**

Draft, May 16, 2013

**1 Development Review**

Development review includes:

- Reviewing proposals for public and private land development for consistency with adopted plans, policies, and ordinances; and making timely recommendations to advisory and elected boards;
- Managing physical and digital records; and
- Managing public notification in accordance with State statutes and UDO requirements.

**1.1 Site Plans**

**Description:** A site plan is an approval granted by the City and/or County that ensures that any future development will occur in a planned and orderly manner. All proposed development in Durham requires review and approval of a sites plan, except single-family and two-family development on single lots and improvements that are solely interior to an existing building and not associated with proposed or potential change of building use.

**Responsibility:** Process application for Site Plan approval in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake and triage, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, site plan extension requests, managing public notice, managing Development Review Board review, communicating Board recommendations and/or decisions as applicable, managing governing board consideration if applicable, and maintaining public records. This project covers initial submittals, re-submittals, and site plan amendments.

**Authority:** UDO, Section 3.7, Site Plan Review.

**1.1.1 Site Plans, General** (includes pre-submittal conferences)

**1.1.2 Administrative Site Plans**

**1.1.3 Small Simplified Site Plans**

**1.1.4 Large Simplified Site Plans**

**1.1.5 Minor Site Plans**

**1.1.6 Major Site Plans**

**1.1.7 Architectural Reviews**

**1.2 Zoning Map Changes**

**Description:** Zoning is the process of legally establishing allowable uses of land pursuant to State statutes and the Durham UDO. A zoning map change occurs when a petitioner wishes to change the allowable uses of land as established by the City-County adopted zoning map. An initial zoning is applied when the City Council annexes property into the City corporate area.

State statute enables the City and County to require and/or authorize zoning with a development plan. A development plan specifies committed elements that are beyond minimum UDO requirements. Committed elements can include density and intensity, tree coverage, setbacks, or any other site development characteristic. The development plan becomes part of the zoning of a property and is reviewed concurrently with the zoning map change request. Subsequent site plans or plats may not deviate from the plan, unless otherwise allowed or required by the UDO. Deviation may require a zoning map change. The development plan may be used by the petitioner in any zoning district; but is required in the PDR, CC, MU, and IL districts. A development plan is also required in the RS-M district if the applicant proposes to develop a building greater than 35 feet in height or proposes a density greater than eight units per acre, and in the RU-M District if the applicant proposed a density greater than 12 units per acre. Likewise, a development plan is required for additions to the UC and UC-2 Districts after the initial zoning map change establishing the District on each campus. Petitioners may request an administratively approved deviation from an approved development plan under certain conditions.

**Responsibility:** Process applications for Zoning Map Change in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Planning Commission review and recommendation, managing governing board consideration, and maintaining public records.

**Authority:** UDO, Section 3.5, Zoning Map Change.

**1.2.1 Zoning Map Change, General** (includes pre-submittal conferences)

**1.2.2 Zoning Map Change, Development Plan**

**1.2.3 Zoning Map Change, No Development Plan**

**1.2.4 Initial Zoning**

**1.2.5 Deviations from Approved Development Plans**

**1.2.6 Development Plan Design Guidelines Amendments**

### **1.3 Subdivisions**

**Description:** Subdivision means all division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purposes of sale or building development, pursuant to State statutes and the Durham UDO. Subdivision of land occurs through the submittal and approval of a map called a "plat" and the recordation of that plat with the Office of the Register of Deeds.

A preliminary plat is a map indicating the proposed layout of a development and related information that is submitted for preliminary review. A final plat is the map of all or a portion of a subdivision, which is presented for final approval.

**Responsibility:** Process applications for Subdivision plat approval in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, site plan extension requests, managing public notice, managing Development Review Board review and recommendation and/or decision as applicable in County cases, managing governing board review and decision if applicable, and maintaining public records. These may include conservation subdivisions.

**Authority:** UDO, Section 3.6, Subdivision Review and Article 13, Additional Requirements for Subdivisions.

**1.3.1 Subdivisions, General (includes pre-submittal conferences)**

**1.3.2 Exempt Plats**

**1.3.3 Final Plats**

**1.3.4 Preliminary Plats**

**1.3.5 Condominium Documents**

**1.4 Special Use Permits**

**Description.** A Special Use Permit is a City or County approval required for certain uses within certain zoning districts that have significant potential for incompatibility with adjacent and nearby uses and , therefore, require individual quasi-judicial review. A Special Use Permit must be obtained when a property owner wishes to undertake one of the specified uses.

Minor Special Use Permits are required for all uses identified as minor special uses within the UDO paragraph 5.1, Use Table. Minor Special Use Permits are issued by the Durham City-County Board of Adjustment based on a quasi-judicial hearing as specified in UDO paragraph 3.9.6, Approval of a Minor Special Use Permit. Manufactured homes used for custodial care may be permitted through a Minor Special Use Permit in accordance with UDO paragraph 5.5.2.F, For Custodial Care.

Major Special Use Permits are required for all uses identified as major special uses within the UDO Section 5.1, Use Table; Paragraph 8.4.4.D, Floodplain Development; and Paragraph 6.2.4, Conservation Subdivisions. Major Special Use Permits are issued by the appropriate governing body based on a quasi-judicial hearing as specified in UDO Paragraph 3.9.7, Approval of a Major Special Use Permit.

Design Special Use Permits are required for site plans and architectural reviews where alternative forms of compliance are sought in Design Districts, in accordance with UDO Section 3.9, Special Use Permit, Section 3.25, Design Special Use Permit, and paragraph 6.12.2, All Design Districts. Design Special Use Permits are issued by the Durham Board of Adjustment based on a quasi-judicial hearing as specified in UDO paragraph 3.9.6, Approval of a Minor Special Use Permit and the findings in paragraph 3.25.3, Criteria for Approval.

**Responsibility.** Process applications for Special Use Permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Board of Adjustment review and decision if applicable, managing governing board review and decision if applicable, and maintaining public records.

**Authority:** UDO, Section 3.9, Special Use Permit.

**1.5 Special Use Permits, General (includes pre-submittal conferences and custodial care home MSUPs)**

**1.5.1 Minor Special Use Permits**

**1.5.2 Major Special Use Permits**

**1.5.3 Design Special Use Permits**

**1.6 Certificates of Appropriateness (COAs)**

**Description:** The City Council and Board of County Commissioners are authorized to establish local historic districts and local landmarks. Proposed exterior changes in appearance of properties in local historic districts and local landmarks require the approval of a Certificate of Appropriateness from the Durham Historic Preservation Commission. For local historic districts, the Commission uses the review criteria in the adopted historic preservation plan to guide their quasi-judicial determination of COAs. For local historic landmarks, the Commission uses the Secretary of Interior's Standards to guide their determination of COAs. The Commission considers certain activities to not have a significant impact on the exterior appearance of the historic structures, and delegates administrative approval to the staff.

**Responsibilities:** Process applications for Certificates of Appropriateness (COA) in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Historic Preservation Commission (HPC) review and decision, and maintaining public records.

**Authority:** UDO, Section 3.18, Certificates of Appropriateness and adopted Historic District Preservation Plans.

**1.6.1 Certificates of Appropriateness, General (includes pre-submittal conferences)**

**1.6.2 Administrative Certificates of Appropriateness**

**1.6.3 Minor Works Certificates of Appropriateness**

**1.6.4 Major Works Certificates of Appropriateness**

**1.7 Historic Landmarks and Landmark Signs**

**Description:** The City Council and Board of County Commissioners are authorized to establish local historic landmarks and landmark signs. Local landmarks are designated with the consent of the property owner and are subject the property to Certificates of Appropriateness requirements. Local landmarks are eligible for a deferral of local property taxes for one-half of their appraised value.

**Responsibilities:** Process application for Historic Landmarks in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, submission of application to the NC State Historic Preservation Office for comment, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Historic Preservation Commission review and recommendation, managing governing board review and decision, maintaining public records, and follow-up with the County Tax Administrator's Office.

**Authority:** UDO, Section 3.17, Historic District or Landmark.

## **1.8 Common Signage and Wayfinding Signage Plans**

**Description:** A common signage plan is required when multiple signs are associated with a project that consists of several buildings in a single development. The common signage plan includes all signs within the development, including outparcels. Wayfinding signs are solely for the purpose of providing directional information along rights-of-way to sub-sections, tenants, or areas of the development.

**Responsibilities.** Process application for Common Signage Plans and Wayfinding Signage Plans in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, and maintaining public records. Within the County jurisdiction and in Compact Neighborhood Tiers or the MU District, the Planning Director, or designee, may approve variations in any element or elements of a common signage plan, considering the recommendation of the DDRT, on a case-by-case basis.

**Authority:** UDO Section 3.11, Common and Way-Finding Signage Plans and Paragraph 11.8.C, Elements of Common and Way-Finding Signage Plans, and Section 11.2, General Requirements for Signs.

## **1.9 Variances**

**Description.** The Board of Adjustment may vary certain requirements of the UDO, in harmony with the general purpose of these regulations, where special conditions applicable to the property in question would make the strict enforcement of the regulations impractical or result in a hardship in making reasonable use of the property.

**Responsibilities.** Process application for Variances in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Board of Adjustment review and decision, and maintaining public records.

**Authority:** UDO Section 3.15, Variances

### **1.9.1 Variances, General**

### **1.9.2 Variance Cases**

## **1.10 Appeals of Administrative Decision**

**Description.** Any person aggrieved by a final order, interpretation, or decision of any administrative official authorized to make decisions may appeal those decisions to the Board of Adjustment.

**Responsibilities.** Process application for Appeals of Administrative Decisions in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Board of Adjustment review and decision, and maintaining public records.

**Authority:** UDO Section 3.16, Appeal of an Administrative Decision

**1.11 Demolition by Neglect**

**Description:** Property owners in historic districts must maintain the exterior and structural features of their historic properties and not allow conditions of neglect to occur. It is a violation of the UDO to not remedy a condition of neglect within the time set by an administrative determination. Property owners and staff may formally request the Planning Director's determination that a property is being demolished by neglect.

**Responsibilities.** Respond to petitions for Demolition by Neglect determination in a timely manner and in accordance with UDO requirements and Department procedures.

**Authority:** UDO Section 3.19, Demolition by Neglect (City Only)

**1.12 Home Occupation Inspections and Permits**

**Description:** Commercial enterprises undertaken from residential structures must meet City-County standards and require a home occupancy permit from the Planning Director.

**Responsibility:** Process applications for a Home Occupation Permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences as needed, application intake, review of proposals for home occupation permits, conducting site visits as necessary, and issuing required permits and maintaining public records.

**Authority:** UDO, Section 3.13, Home Occupation Permit and paragraph 5.4.4, Home Occupations.

**1.13 Limited Agriculture Permits**

**Description:** Maintaining domestic chickens for non-commercial uses within the City limits requires a Limited Agriculture Permit as required the UDO.

**Responsibility:** Process application for Limited Agriculture Permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, verifying that the notification requirements have been met, conducting administrative reviews as needed, and conducting site compliance investigations, and maintaining public records.

**Authority:** UDO, Section 3.23, Limited Agriculture Permit (City Only) and Paragraph 5.4.12, Limited Agriculture (City Only).

**1.14 Street Renaming**

**Description:** The Planning Department coordinates the review and approval of the petitioned re-naming of streets in the City and County pursuant to State statute and the UDO. Street renaming requires public hearings and approval of the appropriate governing body.

**Responsibility:** Process application for street renaming in a timely manner and in accordance with UDO requirements and Department procedures.

**Authority:** UDO, Paragraph 12.3.2, Street Names.

#### **1.15 Street Closing**

**Description:** The Planning Department coordinates the review and approval of the petitioned closure of publicly dedicated streets in the City and County pursuant to State. Street closings require public hearings and approval of the appropriate governing body.

**Responsibility:** Process application for street closing in a timely manner and in accordance with State statute and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing governing board consideration and decision, recordation of the street closing plat, maintaining public records, and notification of appropriate local, State, and federal agencies after the street has been closed.

**Authority:** UDO, Paragraph 12.3.2, Street Names; NCGS §160A-299 (City) and §153A-241 (County)

#### **1.16 Street Withdrawal**

**Description:** Under State statute, a dedicated right of way that has never been opened or used may be withdrawn from dedication under certain circumstances:

1. The property owner on both sides of the right of way is the same.
2. The owner files notice with the City or County having jurisdiction over that right of way of the intent to withdraw.
3. The owner files a plat showing the withdrawal of the right of way and recombination into the adjacent tracts.

**Responsibilities:** The Planning Department reviews the information provided from the property owner, verifies that the right-of-way has not been opened or used by consulting aerial photos and that the street is not shown on the future street plan. Once this has been verified, the Planning Department reviews the recombination plat for compliance with NCGS §47-30, as amended.

**Authority:** NCGS § 136-96.

#### **1.17 NFIP Community Rating System (Durham County Only)**

**Description:** The National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions. The goals of the CRS program are to reduce flood losses, facilitate accurate insurance rating, and promote the awareness of flood insurance. The objective of the Community Rating System (CRS) is to reward communities that are doing more than meeting the minimum NFIP requirements to help their citizens prevent or reduce flood losses. The CRS also provides an incentive for communities to initiate new flood protection activities.

**Responsibilities.** Process annual application for certification of Durham County's National Flood Insurance Program Community Rating System (NFIP CRS) program. Implement public outreach and education related to floodplain issues, enforce applicable floodplain regulations; and develop and implement enhancements to open space acquisition, repetitive loss reduction strategy and maintenance of streams and other waterways.

**Authority:** Direction from the County Manager

#### **1.18 Site Compliance**

**Description:** Each development in Durham that has an associated site plan must receive a Certificate of Compliance from the Planning Department and other City and County Departments prior to occupancy. The UDO requires that new development must be built in accordance with approved site plans in order to remain valid. Planning staff enforce these provisions by performing on-going site evaluations. Planning Certificates of Compliance are based on site visits (and follow-up visits) conducted by Planning Department staff.

In addition, the Planning Department responds to citizen complaints regarding non-compliance with approved site plans through site investigations and follow-up reports and, when violations are found, enforcement actions.

**Responsibility:** Perform on-going site visits to evaluate whether building and site construction comply with the adopted site plan. Process application for Swimming Pool Compliance Review in a timely manner and in accordance with UDO requirements and Department procedures.

**Authority:** UDO, Article 15, Enforcement; Paragraph 3.7.12, Inspections of Required Improvements; Paragraph 3.7.13, Issuance of Certificate of Compliance; and Paragraph 5.4.9, Swimming Pools.

**1.18.1 Site Compliance, General** (includes administration, education and outreach, and swimming pools compliance)

**1.18.2 Site Investigations**

**1.18.3 Site Monitoring**

**1.18.4 Site Re-inspections**

#### **1.19 UDO Administrative Interpretations**



**Description:** The requirements of the UDO cannot anticipate the variety of real-world on-the-ground conditions. On numerous occasions, an interpretation of UDO requirements is necessary to achieve the regulatory objectives while accommodating unorthodox situations.

**Responsibility:** According to the UDO, the Planning Director is authorized to interpret the Ordinance and make administrative adjustment to the specified development standards in the UDO.

**Authority:** UDO, Paragraph 2.9.4 Powers and Duties

**1.20 Development Process Improvements**

**Description:** The development review processes mandated by the UDO are complex and involve a variety of reviewers and decision makers in numerous City and County departments. Staff from Planning and other Departments continually evaluate development review processes for opportunities to educate applicants, reduce unnecessary procedural steps, and improve the process for the applicant and the City and County. This task also involves participation in a City- and County-wide effort to implement digital reviews.

**Responsibility:** The City and County Managers have charged the Planning Department with continual evaluation and improvement of the various UDO development review processes.

**Authority:** UDO, Paragraph 2.9.4 Powers and Duties

**1.21 Statutory Vested Rights Determinations**

**Description:** The UDO establishes a procedure for obtaining a statutory vested right in conformance with NCGS §153A-344.1 and NCGS §160A-385.1. A vested right may be established upon approval of a "site specific development plan." New or amended zoning regulations shall not apply to a property with an established vested right until the vested right expires or is terminated.

**Responsibility:** Process applications for Statutory Vested Rights Determination in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing governing board consideration, and maintaining public records.

**Authority:** UDO, Paragraph 3.21, Statutory Vested Rights Determination.

**1.22 Support for Boards and Commissions for Development Review**

Provide ongoing support for boards and commissions, including preparing agendas, arranging and attending meetings, preparing meeting minutes or notes, maintaining records, and providing public information.

- 1.22.1 Planning Commission**
- 1.22.2 Board of Adjustment**
- 1.22.3 Historic Preservation Commission**
- 1.22.4 City Council**
- 1.22.5 Board of Commissioners**
- 1.22.6 Development Review Board (County Only)**
- 1.22.7 Design District Review Team (County Only)**

**1.23 Building Permit Reviews**

**Description:** Building permit applications must comply with architectural drawings in approved COAs, Architectural Review Applications, and Site Plans.

**Responsibility:** Review building applications; compare to and verify compliance with approved COAs, Architectural Review Applications, or Site Plans; provide feedback to the Inspections Department and applicant; and conduct site compliance investigation.

**Authority:** UDO, Section 3.18, Certificate of Appropriateness; Section 3.24, Architectural Review; Section 6.12, Design Districts; and Section 7.3, Design Standards.

**1.24 Outdoor Seating Permits**

**Description:** Outdoor dining areas located in the public right-of-way require a permit.

**Responsibility:** Process application for an Outdoor Seating Permit in a timely manner and in accordance with City Code and Department procedures. This includes pre-submittal conferences as needed. This included providing background information to applicant, application intake, reviewing proposals for Outdoor Seating Permits, conducting administrative reviews for compliance with standards, install outdoor dining area markers, issuing required permits, conducting site compliance investigations, and maintaining public records.

**Authority:** City Code, Section 54-110, Outdoor Dining Area.

**1.25 Selective Vegetation Removal Permits**

**Description.** A property owner may submit a request to the NC Department of Transportation for a selective vegetation removal permit to open up views to a building or a legally-erected billboard, located directly adjacent to limited- or controlled-access State highway right-of-way that is also within City limits. In addition, all beautification and replanting plans within a State highway right-of-way, except mitigation plans, must be submitted to either the City or County of Durham, as appropriate. The Planning Department coordinates the reviews of these requests and responses to NCDOT.

**Responsibility.** Review Selective Vegetation Removal Permits and/or Beautification and Replanting Plans in a timely manner and in accordance with State law. This includes maintaining registration with the NCDOT for the City and County, receipt of requests, soliciting comments from other departments and agencies, issuance of a response letter to NCDOT, maintaining public records, and keeping the elected officials informed when new requests are received.

**Authority.** North Carolina General Statute 19A NCAC 02E .0600.

**1.26 Temporary Use Permits**

**Description.** Temporary uses occurring on property outside of the public right-of-way are allowed upon the issuance of a temporary use permit, with some exceptions. The Planning Department coordinates the review and approval of temporary use permits.

**Responsibility.** Process applications for Temporary Use Permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes a pre-submittal conference as necessary, application intake, soliciting comments from other departments and agencies, issuance of the permit, monitoring compliance, and maintaining public records.

**Authority.** UDO, Section 3.12 Temporary Use Permit

**1.27 Street Vendor Registration and Compliance**

**Description.** Durham City Code establishes standards for street vendors operating in the public rights-of-way and requires that they be registered annually with the City. The Planning Department has been delegated the tasks related to street vendor registration and compliance by the City Manager.

**Responsibility.** Process applications for Street Vendor Registration in a timely manner and in accordance with City code requirements and Department procedures. These include informing the street vendors of the requirements, processing Street Vendor Registration initial requests and annual renewals, conducting pre-submittal conferences as needed, application intake, coordination with Business Licensing and the County Health Department as needed, investigating complaints, performing enforcement actions as needed, maintaining public records, and maintaining a database of street vendors.

**Authority.** City Code, Chapter 54-91, Right of Way Sales Activities, and the City Manager

**1.28 Annexation Coordination**

**Description.** Coordinate multi-departmental review of voluntary annexation petitions.

**Responsibility.** Serve as the lead agency for consolidated annexation agenda items, including processing applications for voluntary annexation in a timely manner and in accordance with State statute, and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing governing board consideration, and maintaining public records. Incorporate Utility Impact Analysis (UIA) information from Public Works and Fiscal Impact Analysis (FIA) and initial zoning information into coordinated City Council recommendation.

**Authority.** Coordinated Annexation Strategy resolution, adopted by City Council in October, 2012.

**1.29 Family Care Homes and Group Homes Monitoring and Compliance**

**Description.** Family care homes and group homes are dwellings that are State-licensed, provide room and board for persons "because of age, illness, handicap, or specialized program, require personalized services or a supervised living arrangement.

**Responsibility.** The Planning Department: a) maintains a database of family care homes and group homes; b) coordinates the database with the North Carolina Department of Health and Human Services, Division of Health Service Regulation (NCDHSR) listings, the City business license office, and the County Health Department on a regular basis; c) works with the County Health Department to require verification of zoning and compliance with separation standards for family care and group homes. Additionally, the Planning Department processes requests for business verification letters for new State-licensed family care and group homes, including pre-submittal conferences as needed, application intake, verifying the proposed location meets the UDO separation requirements, investigating complaints and performing enforcement actions as needed, and maintaining public records.

**Authority.** Directives from the City and County Managers and UDO paragraph 5.3.2C, Family Care Homes and Group Homes

### **1.30 Design Compliance Review**

**Description.** Verify that zoning map change applications, site plan applications, and building permit applications comply with applicable architectural standards from the Unified Development Ordinance or approved Development Plans.

**Responsibility.** Review zoning map change applications, site plan applications, and building permit applications for compliance with applicable architectural standards from the UDO or approved Development Plans. Update LDO database with review comments referencing specific corrections required, and approvals. Communicate with applicants, and coordinate reviews with Planning case manager, and Inspections plans review examiners as needed.

**Authority.** UDO paragraph 2.10.4, Power and Duties, as delegated by the Inspections Director

## **2 Zoning Enforcement**

Enforce provision of the Unified Development Ordinance proactively and on a complaint basis. Track all enforcement actions taken by updating LDO and hard copy files.

### **2.1 Response to Complaints**

**Description:** In response to complaints, work with citizens and staff to ensure compliance with development ordinances.

**Responsibility:** Investigate complaints in accordance with Director's Guidelines for Enforcement. Issue Notices of Violation, as appropriate. Update records in LDO, referencing specific complaints and any enforcement actions taken. Track cases systematically through LDO. Communicate with the complainant and violator regarding case status.

**Authority:** UDO, Article 15, Enforcement

### **2.2 Proactive Enforcement**

**Description:** In response to observations from patrol, work with citizens and staff to ensure compliance with development ordinances.

**Responsibility:** Patrol assigned area and enforce UDO provisions as necessary. Follow Directors' Guidelines for Enforcement. Issue Notices of Violation, as appropriate. Update records in LDO referencing specific complaints and any enforcement actions taken. Track cases systematically through LDO. Communicate with the complainant and violator regarding case status. Remove and dispose of illegally placed signs.

**Authority:** UDO, Article 15, Enforcement

**2.3 PACs**

Attend monthly PAC meetings, serve as a Planning Department liaison, and provide information about Planning Department activities.

**3 Comprehensive Planning**

Prepare plans, policies, programs, and recommendations about land use, historic preservation, urban design, environmental protection, trails and greenways, and open spaces to preserve Durham's natural and cultural resources.

**3.1 Comprehensive and Neighborhood Planning**

Prepare small area land use plans for selected areas in the community to update the goals/objectives/policies and Future Land Use Plan of the Durham Comprehensive Plan.

**Authority:** *Durham Comprehensive Plan*, Policy 2.3.6c, Land Use Plan Updates; UDO, Paragraph 6.11.2.B.

**3.1.1 Regional Transit Planning**

Participate with the Triangle Transit Authority and other jurisdictions in the region to plan a regional transit system, including locating transit-oriented neighborhoods at proposed transit stations.

**3.1.2 Station Area Strategic Infrastructure Plan**

Prepare station area plans for Compact Neighborhoods in accordance with the Durham Comprehensive Plan and the Regional Transit Plan.

**3.1.3 New Comprehensive Plan Scoping**

Develop and propose a work program for a major revision/upgrade of the Durham Comprehensive Plan; identify major strengths and weaknesses of the present Plan and innovative techniques to make the Plan a more effective guide for future growth and development. Propose possible staffing and consultant services needed.

**3.1.4 DHA HUD Choice Neighborhoods Planning Project**

The City of Durham is the recipient of the U.S. Department of Housing and Urban Development Choice Neighborhood Planning grant. Managed by the Durham Housing Authority, the planning project is a 24-month effort to revitalize the McDougald Terrace and Southeast Central Durham neighborhoods. The Planning Department is one of many City departments participating in the project.

### **3.1.5 Housing Affordability Assessment and Plan**

This multi-year project involves developing a comprehensive strategy to preserve and provide affordable housing in Durham, especially around proposed regional transit station. The project needs to be a joint effort between City Community Development, City Neighborhood Improvement Services, City Economic and Workforce Development, and City-County Planning. The first phase involves developing and securing a project scope and data collection about existing housing affordability.

## **3.2 Plan Amendments**

**Description:** The *Durham Comprehensive Plan* was adopted by the City and County in 2005 to guide the physical growth and development of the City. The Plan's Future Land Use Map provides guidance on desired patterns of land use. When zoning map change are proposed that are in significant conflict with the Future Land Use Map, as determined by the Planning Director, the petitioner is required to submit a petition for plan amendment. The UDO establishes procedures required for neighborhood meetings, application submittal, and review and consideration by advisory and governing bodies.

**Responsibility:** Process applications for Plan Amendments in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of summary reports for the Joint City-County Planning Committee (JCCPC), preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Planning Commission review and recommendation, managing governing board review and decision, and maintaining public records. City or County initiated Plan Amendments also include conducting neighborhood meetings.

**Authority:** UDO, Section 3.4, Comprehensive Plan Adoption/Amendment.

### **3.2.1 Plan Amendments, General**

This includes required pre-submittal conferences and plan amendment studies.

### **3.2.2 Privately Initiated Plan Amendments**

Process an application for privately initiated plan amendments.

### **3.2.3 City or County Initiated Plan Amendments**

At the direction of the Joint City-County Planning Committee (JCCPC), process applications for a City or County initiated plan amendments. This includes the annual Evaluation and Assessment Report.

### **3.2.4 Annual Evaluation and Assessment Report**

Prepare an annual evaluation and assessment report to the governing boards, in accordance with the *Durham Comprehensive Plan*, Policy 1.1.4a, Evaluation and Assessment, to evaluate the status and effectiveness in implementing the Plan's goals, objectives, and policies.

### **3.2.5 Eno Economic Development District Plan Amendments**

Orange County has designated the Eno Economic Development District (EDD) near the intersection of I-85 and US 70 in eastern Orange County. The Durham Comprehensive Plan recognizes the Eno EDD and envisions Durham providing utility services to the area. The Plan's Future Land Use Map needs to be amended to reflect desired patterns of land use for the EDD area.

### **3.2.6 Rougemont Plan Amendments**

The Rougemont Village Plan recommends changes to the Durham Comprehensive Plan Future Land Use Map to focus future commercial activity in the village center and to facilitate economic development.

## **3.3 Zoning Text Amendment**

**Description:** Development issues give rise to changes in Durham's development regulations. Citizens may apply for zoning text amendments or the City or County may initiate zoning text amendments.

**Responsibility:** Propose and process amendments to the Unified Development Ordinance (UDO) as necessary to respond to development and regulatory issues in a timely manner and in accordance with the UDO. This includes pre-submittal conferences as needed; application intake; on-going applicant contact and information as applicable; coordination of review by other staff, other City, County, and State agencies and the public; preparation of policy guidance documents for review by the Joint City-County Planning Committee (JCCPC); preparation of staff reports and recommendations; managing public notice and holding public informational meetings as needed; managing Planning Commission review and recommendation; managing governing board reviews and decisions; and maintaining public records.

**Authority:** UDO, Section 3.20, Text Amendments.

### **3.3.1 Text Amendments, General**

Includes pre-submittal conferences and general work related to text amendments.

### **3.3.2 Privately Initiated Text Amendments**

Process applications for zoning text amendments a timely manner and in accordance with the UDO.

### **3.3.3 Mixed Use District**

Propose amendments to the UDO to encourage mixed and integrated land uses and to decrease reliance on the automobile.

### **3.3.4 Technical Changes and Minor Changes**

Process technical and minor changes to the UDO in accordance with direction from the City and County Managers and the Joint City-County Planning Committee. This includes non-conforming lot standards, Urban Tier building placement standards, and Future Land Use Map procedural changes, etc.

### **3.3.5 Affordable Housing Incentives**

Propose amendments to the UDO to provide a stronger incentive for voluntary use of the provisions for an affordable housing density bonus.

### **3.3.6 Riparian Buffer Standards**

Propose amendments to the UDO to resolve regulatory issues and ensure consistency with state requirements related to riparian buffers.

### **3.3.7 Rougemont Text Amendment**

Proposed amendments to the UDO to implement the Rougemont Village Plan.

### **3.3.8 Wireless Communications Facilities Revision**

Propose amendments to the UDO to modernize the UDO to comply with current state and federal regulations, and to consider other changes directed by governing boards related to wireless communications facilities.

**3.3.9 Respond to Legislative Mandates**

Propose amendments to the UDO to comply with changes to local, State, and federal regulations.

**3.4 Environmental Planning**

Prepare plans and develop draft policies for the protection of Durham's environmental resources in accordance with direction from the governing boards.

**3.4.1 Environmental Planning, General**

Respond to general inquiries, policy issues, and directives regarding environmental planning issues, such as updates to the Durham County Natural Inventory, proposed hydraulic fracturing resource extraction technology, etc.

**3.4.2 Urban Open Space Plan**

Work with the Durham Open Space and Trails Commission to prepare and propose a plan for the preservation and protection of urban open spaces. Prepare and publish an atlas of important environmental features. Provide guidance for the City administration about protection, preservation, acquisition and/or development of those open space areas deemed important.

**3.4.3 Downtown Open Space Plan**

Prepare and propose a plan for the preservation and protection of urban open spaces in Downtown Durham, including open space standards for new development.

**3.5 Trails and Greenways Planning**

Engage in detailed trails and greenways planning as needed, in consultation with the Parks and Recreation Department.

**3.6 Historic Preservation Planning**

Prepare plans and develop draft policies for the protection of Durham's historic resources in accordance with direction from the governing boards

**3.6.1 Historic Preservation Planning, General**

Respond to inquiries, policy issues, and directives regarding historic preservation planning issues.

**3.6.2 Certified Local Government Management**

Continue to maintain Certified Local Government (CLG) status: prepare annual reports for the State Historic Preservation Office, apply for and administer grants for historic preservation studies, review nominations for the National Register of Historic Places, participate in training for staff and Historic Preservation Commission members.

**3.6.3 Golden Belt Local Historic District Request**

Respond to citizen petitions for the establishment of a local historic district in the area around the Golden Belt facility in northeast Durham, including surveying existing conditions and preparing a historic district preservation plan that includes design criteria reflecting the historic character of the area.

**3.6.4 Local Review Criteria Coordination**

Merge and coordinate the local review criteria for historic districts and landmarks to ensure consistency in their application by the Durham Historic Preservation Commission.

**3.7 Support for Boards and Commissions for Strategic Planning**



Provide ongoing support for boards and commission, including preparing agendas, arranging and attending meetings, preparing meeting minutes or notes, maintaining records, and providing public information.

**3.7.1 Joint City-County Planning Committee**

**3.7.2 Appearance Commission**

**3.7.3 Durham Open Space and Trails Commission**

**3.7.4 Environmental Affairs Board**

**3.8 Transportation Planning**

Provide transportation planning services to the City and County, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (MPO). This includes representing Durham County on the MPO Technical Coordinating Committee and preparing socio-economic projections for the long range transportation plan, etc.

**3.9 Urban Design**

**3.9.1 RTP North Design District**

Work with the Research Triangle Foundation to prepare amendments to the UDO to incorporate the RTP North development standards in accordance with recommendations from the RTP Master Plan and at the direction of the Board of County Commissioners.

**3.9.2 Gateway Plan Implementation**

Participate in the implementation of gateway improvements along NC 147 in downtown Durham.

**3.9.3 Medical Center Design District**

Conduct citizen engagement processes and propose amendments to the UDO to create a design district for the Duke University Medical Center Compact Neighborhood.

**3.9.4 Urban Design Studio: Blackwell-Corcoran-Foster Pedestrian Link**

Participate in the implementation of pedestrian improvements along Blackwell Street, Corcoran Street, and Foster Street in downtown Durham.

**4 Public Information/Customer Service**

Provide accurate and timely information about the community, about procedures and about Department recommendations to citizen and elected officials. Continue to expand the Department's Internet website to be as complete and as interactive as possible. Develop other information resources such as GIS applications, brochures, and presentations.

**4.1 Public Information and Customer Service, General**

Upon request, provide general planning information to citizens, developers, appointed and elected officials, City and County Public Information Offices, and the media about planning programs and activities. Upon request, respond to formal public records requests. Provide staff assistance to the City Public Information Office for the broadcast of Planning Commission meetings.

**4.2 Customer Service Center**

Provide personal service in the Customer Service Center to walk-in visitors or telephone and email contacts-in visitors about zoning and other Planning Department activities. Provide receptionist services for the public and the Department.

**4.3 Website**

Develop and maintain the Planning Department's web site to provide information to citizens about planning and development activities.

**4.4 Zoning Verification**

As requested, provide zoning verification, business verification, ABC permit zoning verification, DMV zoning verification, air quality permit zoning verification, family care home and group home business verification, and single-family zoning compliance letters.

**4.5 Community Outreach**

Upon request, make presentation to community organizations and City and County Departments about planning and zoning activities. This includes the quarterly newsletter, Neighborhood College support, social media, and maintaining the community organization directory and public notice distribution list.

**4.6 Customer Satisfaction Feedback**

Solicit feedback on the Planning Department's performance in serving its numerous and diverse customers, including elected boards, advisory boards, development review applicants and consultants, comprehensive and neighborhood planning stakeholders, and citizens.

**5 Research Support**

Provide research and GIS mapping support for the Department. Maintain the Durham Zoning Atlas, GIS layers, and maps for planning information. Maintain and coordinate US Census information.

**5.1 Census and Demographic Support**

File annual annexation and boundary surveys to the state and federal governments. Provide technical support for identifying new Census Tract boundaries. Staff US Census Complete Count Committee. Manage and maintain population estimates for the City and County of Durham. Provide demographic information to citizens and project future population growth.

**5.2 Computer, GIS, and Data Support**

Manage and maintain geospatial databases of planning related information. Provide mapping support and research for staff. Create databases of planning-related topics. Manage the Land Development Office (LDO) software used by multiple City and County Department to coordinate the review of development proposals. Manage updates to the Durham Zoning Atlas. Provide basic hardware and software support for Planning staff, including input and quotes for new technology. Serve as liaison to the Technology Solutions Department.

**6 Department Management**

**6.1 Department Management and Administration**

- Prepare annual Department budget for the City and County.
- Monitor and report on performance measures.
- Monitor Department spending and accounts. Monitor timely deposit of receipts, including development application fees. Maintain fiscal records for audit and review.

- Prepare annual work program and monthly reports on work program progress. Secure review and approval of annual work program from the Planning Commission, the Joint City-County Planning Committee, City and County Managers and governing boards.
- Develop scope of services, prepare requests for proposals, evaluate proposals, prepare contracts, secure governing board approval to enter into a contract. Develop and execute contracts as needed, and manage consultant projects.
- Monitor interlocal cooperation agreements.
- Work with Risk Division to improve employee safety. Educate staff on OSHA requirements.
- Maintain planning-related documents to meet state requirements, including document filing and scanning.
- General office management, including handling mail and ordering supplies.
- Consult with the City and County Attorney's Offices as needed on matters related to City and County codes and litigation.
- Engage in quality assurance activities, including: review of staff reports, agendas, advertisements, and notices, and progress reports; respond to management inquiries from the City and County Managers, members of governing and advisory boards, customers, and citizens.

**6.2 Performance and Personnel Management**

Prepare and maintain performance standards for each employee, conduct and participate in annual coaching sessions, and conduct and participate in annual performance evaluations in a timely manner. Conduct and attend Section, Division, and Department staff meetings. Conduct regular staff meetings to facilitate flow of management information and monitor work performance.

**6.3 Professional Development**

Provide opportunities and funding for the professional development of Department staff, including state and national professional conferences, web seminars, etc. Coordinate training programs for Departmental staff.

**6.4 Intergovernmental Coordination**

Provide ongoing support planning coordination among neighboring jurisdictions. This includes the Durham-Chapel Hill-Work Group, the Center of the Region (CORE) committee, the Land Use/Community Infrastructure/Development (LUCID) Committee, and other TJCOG Committees.

**6.5 City, County, and Planning Department Strategic Plan**

Implement the Planning Department Strategic Plan for the next two to three years. Participate in staff initiatives to implement the adopted City Strategic Plan. Participate in staff initiatives to implement the adopted County Strategic Plan.

**6.6 Culture of Service Initiatives**

Conduct staff initiatives to implement the City's Culture of Services goals and respond to concerns raised by the Employee Opinion Survey.

**6.7 Contingency**